

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE: WORLD TRADE CENTER LOWER MANHATTAN  
DISASTER SITE LITIGATION

-----X  
PHILIP ANNUNZIATO AND ELEANOR V ANNUNZIATO,  
Plaintiff(s),

Index No.: 06cv14466

-against-

**NOTICE OF ADOPTION**

**1:21-MC-00102-AKH**

ALAN KASMAN DBA KASCO, AMERICAN  
EXPRESS BANK, LTD, AMERICAN EXPRESS  
COMPANY, AMERICAN EXPRESS TRAVEL  
RELATED SERVICES COMPANY, INC., ANN  
TAYLOR STORES CORPORATION, BATTERY  
PARK CITY AUTHORITY, BFP TOWER C CO.  
LLC., BFP TOWER C MM LLC., BLACKMONMOORING-  
STEAMATIC CATASTOPHE, INC.  
D/B/A BMS CAT, BROOKFIELD FINANCIAL  
PROPERTIES, INC., BROOKFIELD FINANCIAL  
PROPERTIES, LP, BROOKFIELD PARTNERS,  
LP, BROOKFIELD PROPERTIES  
CORPORATION, BROOKFIELD PROPERTIES  
HOLDINGS INC., ENVIROTECH CLEAN AIR,  
INC., GPS ENVIRONMENTAL CONSULTANTS,  
INC., HILLMAN ENVIRONMENTAL GROUP,  
LLC., INDOOR ENVIRONMENTAL  
TECHNOLOGY, INC., KASCO RESTORATION  
SERVICES CO., LEHMAN BROTHERS  
HOLDINGS INC., LEHMAN BROTHERS, INC.,  
LEHMAN COMMERCIAL PAPER, INC.,  
MCCLIER CORPORATION, MERRILL LYNCH  
& CO, INC., NOMURA HOLDING AMERICA,  
INC., NOMURA SECURITIES  
INTERNATIONAL, INC., STRUCTURE TONE  
(UK), INC., STRUCTURE TONE GLOBAL  
SERVICES, INC., TOSCORP INC., TRAMMELL  
CROW COMPANY, TRAMMELL CROW  
CORPORATE SERVICES, INC., TUCKER  
ANTHONY, INC., WESTON SOLUTIONS, INC.,  
WFP RETAIL CO. G.P. CORP., WFP RETAIL  
CO. L.P., WFP TOWER A CO., WFP TOWER A  
CO. G.P. CORP., WFP TOWER A. CO., L.P., WFP  
TOWER B CO. G.P. CORP., WFP TOWER B  
HOLDING CO., LP, AND WFP TOWER B. CO.,  
L.P., ET AL,

Defendant(s).

-----X

C O U N S E L O R S :

PLEASE TAKE NOTICE that Defendant, HILLMANN ENVIRONMENTAL GROUP, LLC, (hereinafter HILLMANN) as and for it's response to the allegations set forth in the Complaint by adoption or Check-Off Complaint related to the Master Complaint filed herein and applicable to the above captioned matter hereby adopts all of the responses and all of the affirmative defenses contained in the Answer to the Master Complaint dated, filed and served August 2, 2007, *In re World Trade Center Lower Manhattan Disaster Site Litigation*, 21MC 102 (AKH). The responses to all of the allegations in the Master Complaint are adopted herein and are applicable to the Check-Off Complaint served and filed herein. Defendant, HILLMANN, also adopts the responses contained in any Amended Answer filed and served herein.

PLEASE TAKE FURTHER NOTICE that Defendant, HILLMANN, reserves the right to serve and file an amended answer and specifically reserves the right to interpose a cross claim against any and all co-defendants.

PLEASE TAKE FURTHER NOTICE that Defendant, HILLMANN, also adopts all affirmative defenses and the jury demand herein.

WHEREFORE, Defendant, HILLMANN, demands judgment dismissing the above captioned action against it along with the costs and disbursements of this action.

Dated: White Plains, New York  
September 11, 2007

Yours, etc.,

**SAM ROSMARIN, PLLC**



By: \_\_\_\_\_  
Salvatore J. Calabrese, Esq. (5133)  
Attorneys for Defendant  
HILLMANN ENVIRONMENTAL GROUP LLC  
11 Martine Avenue – 9<sup>th</sup> Floor  
White Plains, New York 10606

(914) 686-4000

TO:

Paul Napoli, Esq.  
WORBY GRONER EDELMAN  
NAPOLI & BERN, LLP  
115 Broadway, 12<sup>th</sup> Floor  
New York, New York 10006  
(877) 982-4376  
[clopalo@napolibern.com](mailto:clopalo@napolibern.com)

Robert A. Grochow, Esq.  
ROBERT A. GROCHOW, P.C.  
233 Broadway, 5<sup>th</sup> Floor  
New York, New York 10279  
(212) 608-4400  
[rgrochow@aol.com](mailto:rgrochow@aol.com)

Gregory J. Cannata, Esq.  
LAW OFFICES OF GREGORY J. CANNATA  
233 Broadway, 5<sup>th</sup> Floor  
New York, New York 10279  
Liaison Counsel for Plaintiffs  
(212) 553-9206  
[cannata@cannatalaw.com](mailto:cannata@cannatalaw.com)

**SERVICE RIDER**

**1:21-mc-102 Notice has been electronically mailed to:**

Donna-Marie Baloy Baloyd@wemed.com

Brian Andrew Bender bbender@harrisbeach.com, jsavitsky@harrisbeach.com

Dror Bikel dbikel@sralawfirm.com

Judith Rita Cohen cohenj@dicksteinshapiro.com

James J. Coster jcoster@ssbb.com, asnow@ssbb.com, bmeans@ssbb.com, jrubins@ssbb.com, managingclerk@ssbb.com, tbrock@ssbb.com

Defendants bbrender@harrisbeach.com

Andrew Riggs Dunlap adunlap@kirkland.com, kennymanagingclerk@kirkland.com

Thomas A. Egan tegan@fzw.com, service@fzw.com

Virginia Goodman Futterman vfutterman@londonfischer.com

Christian Holt Gannon cgannon@smsm.com

Roman E Gitnik rgitnik@lifflander.com

Stanley Goos Jsavitsky@harrisbeach.com, sgoos@harrisbeach.com

Robert Allen Grochow rgrochow@aol.com

Benjamin E- Haglund bhaglund@daypitney.com

John J. Henry jhenry@woh.com, clalyer@woh.com, jkroll@woh.com, lrice@woh.com, wnolan@woh.com

Hillman Environmental Group, LLC. sam@rosmarinlaw.com

Michael D. Hynes michael.hynes@dlapiper.com

Barry Mark Kazan bkazan@ebglaw.com

Frank Joseph Keenan keenan@methwerb.com

LeFrak Organization Inc. bbender@harrisbeach.com

Richard Eric Leff Rleff@mcgivneyandkluger.com

Lefrak Organization, Inc. bbender@harrisbeach.com

Eric Foster Leon eleon@kirkland.com, kenymanagingclerk@kirkland.com

Christopher Allen McLaughlin christopherm@zegam.com

Anthony Molloy , III amolloy@pattonboggs.com

Kevin Jude O'Neill KJO@GOGICK.COM

Michael David Reisman mreisman@kirkland.com, kenymanagingclerk@kirkland.com

Gail L. Ritzert gail.ritzert@hrrvlaw.com, martha.raskin@hrrvlaw.com

Sam Rosmarin sam@rosmarinlaw.com

Andrew John Scholz ascholz@fzw.com, enolan@fzwz.com, service@fzwz.com

Louis Smith smithlo@gtlaw.com, gtcourtalert@gtlaw.com, petersr@gtlaw.com

Lee Ann Stevenson lstevenson@kirkland.com, kenymanagingclerk@kirkland.com

Howard F. Strongin hstrongin@sralawfirm.com

Jill Suzanne Taylor jtaylor@sralawfirm.com

James Edward Tyrrell , JR jtyrrell@pattonboggs.com, jhopkins@pattonboggs.com,  
tsaybe@pattonboggs.com

Mark Joseph Weber mweber@moundcotton.com

Todd E. Weisman toddw@efwlaw.com

Robin Michel Wertheimer robinwertheimer@hotmail.com

**AFFIDAVIT OF SERVICE**

STATE OF NEW YORK: COUNTY OF WESTCHESTER:

Cristina A. Villani, being duly sworn, says, I am not a party to the action, am over 18 years of age and reside at White Plains, New York.

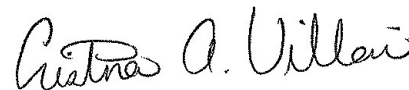
On September 11th, 2007 I filed with the USDC pursuant to ECF filing instructions under Case No.: 1:21-mc-00102-AKH and emailed a true copy of the annexed DEFENDANT HILLMAN ENVIRONMENTAL GROUP LLC NOTICE OF ADOPTION by electronic mailing the same to the following parties at their last known electronic mailing address:

Paul Napoli, Esq.  
WORBY GRONER EDELMAN  
NAPOLI & BERN, LLP  
115 Broadway, 12<sup>th</sup> Floor  
New York, New York 10006  
(877) 982-4376  
ShelleneBousher@NapoliBern.com

Robert A. Grochow, Esq.  
ROBERT A. GROCHOW, P.C.  
233 Broadway, 5<sup>th</sup> Floor  
New York, New York 10279  
(212) 608-4400  
rgrochow@aol.com

Gregory J. Cannata, Esq.  
LAW OFFICES OF GREGORY J. CANNATA  
233 Broadway, 5<sup>th</sup> Floor  
New York, New York 10279  
Liaison Counsel for Plaintiffs  
(212) 553-9206  
[cannata@cannatalaw.com](mailto:cannata@cannatalaw.com)

All parties indicated on the  
**SERVICE RIDER**



\_\_\_\_\_  
Cristina A. Villani

Sworn to before me this  
11th day of September 2007



Charlene S. Rogers  
Notary Public  
No. 01RO 4703494  
Qualified in Westchester County  
Commission Expires 11/30/09